

**REMARKS/ARGUMENTS**

Claims 4 and 5 are pending.

Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hafez et al. (U.S. Patent No. 6,513,065), hereinafter referred to as Hafez, in view of Strandberg et al. (U.S. Patent No. 6,647,412), hereinafter referred to as Strandberg. Applicants respectfully traverse this rejection for the following reasons.

Contrary to what is stated in the prior rejection, Hafez fails to teach or suggest the limitation of "calculating the LNV of a server as an integer value through a combination of measured counters **at the same point in time**" as recited in the pending claims (emphasis added). Rather, Hafez discloses a summarization that occurs across the time axis, that is, the analysis of raw data collected at different time-points. As can be seen, for example, at column 12 lines 45-50, Hafez does not combine different data belonging to different metrics at the same point in time to produce one measure. Also, as can be seen, for example, in Figures 8a-8b and at column 12 lines 60-65, Hafez discloses a method for summarization of node values across a time axis, processing individually every data type but not producing a single value based on the combinations of different metrics at a specific point in time. In addition, the summarization methods taught by Hafez do not produce a single value for counters or gauge. For instance, for data of type counter, Hafez keeps the starting and ending value of the process period, and the number of points. Another case is the data of type gauge, where Hafez keeps the average of the data points and the number of data points; this technique does not produce a single value.

Also, in regard to dependent claim 5, Hafez does not teach or suggest the use of correlation matrixes and weighted sums to produce the integer values for the same point in time. See, e.g. column 11, lines 15-20. Rather, Hafez refers to 'statistical formulas', and 'modeling techniques' from 'queuing theory', which are general terms used in the art, and in no way do these references teach or suggest "obtaining a plurality of characteristics or counters at a specific point in time that are combined through correlation matrixes and weighted sums to produce the two integer values for the same point of time" as is recited in claim 5. Further, Hafez

specifically uses those 'formulas' to predict. Use of those 'formulas' to predict does not teach or suggest calculating values such as LNV and CNV.

Further, Hafez at column 11 lines 65 discloses summarization over raw data and data that has been summarized one or more times, but fails to teach or suggest correlation matrixes that are updated over the time as is recited in claim 5.

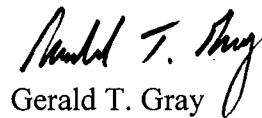
Also, Strandberg fails to remedy the deficiencies of Hafez as discussed above. In particular, Strandberg also fails to teach or suggest the limitations of "calculating the LNV of a server as an integer value through a combination of measured counters at the same point in time" and of "obtaining a plurality of characteristics or counters at a specific point in time that are combined through correlation matrixes and weighted sums to produce the two integer values for the same point of time". Therefore, whether or not it would be obvious to combine Hafez with Strandberg as alleged by the Examiner, such combination could not result in the presently claimed invention as recited in claims 4 and 5.

### CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



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